

**TENNESSEE BOARD OF LICENSED PROFESSIONAL COUNSELORS,
MARITAL AND FAMILY THERAPIST AND CLINICAL PASTORAL
THERAPIST MINUTES**

Date: May 20, 2005

Time: 9:00 A.M., CST

Location: Cumberland Room
Ground Floor, Cordell Hull Building
Nashville, TN 37247

Board Members

Present: Stuart Bonnington, L.M.F.T., Chair
Murphy Martin, L.P.C., Secretary/Treasurer
Janet Scott, L.P.C.
Dan Hammer, L.M.F.T.
Robert Kirk, Ph.D, Citizen Member

Staff Present: Sherry Owens, Board Administrator
Robbie Bell, HRB Director
Barbara Maxwell, Administrative Director
Richard Russell, Advisory Attorney

Dr. Bonnington, Chair, called the meeting to order at 9:05 a.m. A sufficient number of board members were present to constitute a quorum.

Review Minutes

Upon review of the February 18, 2005 minutes, Dr. Martin made a motion, seconded by Dr. Scott, to approve the minutes as written. The motion carried.

Conflict of Interest Policy

Mr. Russell reviewed the new conflict of interest policy with the board asking the board members to disclose any conflict of interest they may have prior to contested cases or any other legal proceedings or matters to determine if there is a conflict in interest. Board members cannot recuse themselves unless the board chair with the advice of the advisory attorney are aware of the conflict. Then the advisory attorney will have the final authority to recuse that board member.

Office of General Counsel Report

Mr. Russell reviewed the OGC report with the board stating that there are no contested cases to be presented to the board at this meeting.

Mr. Russell said that Rule 0450-2-.01,-.10 regarding supervisor in training became effective March 13, 2005.

Mr. Russell stated that the rule for mandatory background checks for all applicants will be presented for roll call vote today by Jerry Kosten.

Investigative Report

Ms. Owens reviewed the investigative report with the board stating there is one (1) complaint pending from 2004 for licensed professional counselors and two (2) for marital and family therapists and one (1) for clinical pastoral therapist.

Disciplinary Report

Ms. Owens reviewed the disciplinary report with the board stating one practitioner is on probation which expires in May 2005. Ms. Owens said the practitioner must appear before the board with an order of compliance.

Financial Report

Ms. Owens reviewed the financial report with the board stating there is a carryover from June 30, 2004 of \$73, 496.84. Ms. Owens reminded the board that Health Related Boards is getting a new RBS system which costs will be shared between all boards.

Administrative Report

Ms. Owens reviewed the administrative report with the board, stating that Licensed Professional Counselors have 936 active, 147 retired and 147 failed to renew licenses, Marriage and Family Therapists have 260 active, 58 retired and 38 failed to renew licenses and Clinical Pastoral Therapists have 28 active, 4 retired and 2 failed to renew licenses. Ms. Owens stated that the Mental Health Service Provider count for the Licensed Professional Counselors profession report was left out but she would make sure the report will be at the next meeting.

The CQI report should be updated by the August meeting.

The Marital and Family Therapist oral exam is still given by the board. There is no one coming forward to give the Marital and Family Therapist law exam. Ms. Owens stated that she is trying to contact Shawn O'Brien at the NBCC again to talk to him about the law exam.

Ms. Owens asked the board to submit travel requests for seminars 120 days in advance to make sure there is adequate time to get approval.

Ms. Owens stated that the continuing education audit will be completed by the August meeting.

Jerry Kosten, Rules Coordinator

Mr. Kosten discussed the mandatory criminal background checks for all new applicants which resulted from the audit conducted by the Office of the Comptroller of the Treasury. Mr. Kosten said the background check will be a nationwide FBI and TBI search at a cost of \$56 to the applicant. Mr. Kosten said the hearing for the criminal background checks took place on April 21, 2005. With no further discussions Dr. Kirk made a motion, seconded by Dr. Scott, to accept the rule for mandatory background checks. A roll call vote was taken and the motion carried.

Mr. Kosten stated that the board needed to discuss and consider a rulemaking hearing on the specification of hours for the practicum and/or internship for Marital and Family Therapist. Mr. Kosten said it was tabled at the last meeting because Dr. Bonnington was not convinced 300 hours would be adequate. Upon discussion Dr. Kirk made a motion, seconded by Dr. Hammer, that the minimum required practicum and or internship hours for marital and family therapist be 300. The motion carried.

Mr. Kosten also said the only legislation that affects the board is the criminal background checks, which the board voted to accept.

Ratify Oral Exam Results

Dr. Kirk made a motion, seconded by Dr. Martin to ratify the following oral exam:

LPC-MHSP

**Lisa Clouzet
May Joanna Key
Lisa Underdown
Paula Weimers**

MFT

**Davis Hesson
Ashley Dumas
Denise Caraway
Jennifer Slattery
Chera Cox
Victoria Starkey
Tommy Doty**

MFT FAIL

William Bellican

The motion carried.

Ratify Newly Licensed/Reinstated/Temporary Permits for LPC's, MFT's and CPT's

Dr. Scott made a motion, seconded by Dr. Martin to ratify the lists of newly licensed, reinstated and temporary permits for LPC's, MFT's and CPT's:

Newly Licensed

LPC

**Joan Arnold
Terri Atwood
Mark Baldwin
Roger Batson
Aspen Borque
Kenneth Brewer
Shelley Burdine Prevost
Jill Faughn
Carlin Giles
Linda Graham
Toni Griffin
Vivian Grooms
Solomie Guinn
Angela Hart
Paul Helton
Pamela Heirs
Travis Hill
Deanna Irick
Cynthia Irwin
Vicki McCall
Vicki Mead
Pamela Pearce
James Sapp
Catherine Schumacher
Bruce Selvage Jr
Patricia Smith
Rebecca Smith
Florence Yarbrow**

Work Permits

LPC

**Kimkinyona Dale
Joyce Goodwin
Rachel McRoberts
David Thomas
Sandra Wills
Gina Wilson**

MFT

**Richard Barbee
King Counts
Lenn Milam**

CPT
None

Reinstated

LPC

**Christina Burns
Audrey Canaff
Judith Roney**

MFT

None

CPT

None

The motion carried.

Court Privacy Issues

Dr. Bonnington reviewed court privacy issues which was tabled from the February meeting. Mr. Russell stated that the judge overseeing the case may tell a counselor they are in contempt if they do not disclose the information asked for in the case, but what usually happens is the judge usually has another proceeding to determine if there is an exception to not allow the confidential information. Mr. Russell asked the board members how often this usually happens. Dr. Bonnington and Dr. Martin said it is rare but they wanted to know how they could handle it under their board rules and ethics if the situation were to rise.

Mr. Russell said the law on confidentiality T.C.A. §63-22-114 states if you are complying with a court order you are not breaking the law.

Review Applicant Files

Ms. Owens stated that there are two Licensed Professional Counselor files to review, Jon Harris and Ann Marie Bryant. Ms. Owens said both applicants are short in their practicum and/or internship and are asking for a waiver for those hours. Dr. Bonnington

Work Permits

**Leanne Braddock
Verneda Cole
Gatesaya Cordell
Rebecca Lloyd
Deborah Martin
Patsy Sayasan
Kara Taft**

said the board has no statutory authority to waive those hours and suggested that both applicants sign up for an additional practicum and/or internship to meet the requirement for licensure.

Board Business

The board reviewed a letter from Angela Mathew regarding the supervision hours of MFT's versus LPC's and LCSW's. Ms. Mathew stated in her letter that she was concerned that MFT's have 200 hours of direct supervision and LPC's and LCSW's only have 100 hours of direct supervision. Dr. Bonnington stated that her concerns are duly noted by the board but each profession is bound by different rules based on the scope of practice and laws. The board closed this matter with no action.

Robbie Bell, Director of Health Related Boards, discussed the move of the board offices to the Metro Center location in Nashville. As of today, the move is scheduled for September 1, 2005. Ms. Bell said the board members would be kept informed of where the next meeting is and hotel accommodations.

Ms. Bell stated the legislation passed screening panels which are set up to resolve issues before they come to the board as contested case hearings. Ms. Bell said the screening panel is comprised of a board member, a prior board member and a consultant. Ms. Bell stated that boards that are using this now have had great success and that the contested case load is down. Mr. Russell stated that this board is on the lower part of the list as far as complaints.

With no other business to conduct Dr. Hammer made a motion, seconded by Dr. Martin, to adjourn the meeting at 10:35 a.m. The motion carried.

SO/G4045231/PCmin